

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ERICK L. PADILLA,)	CASE NO. 5:24-CV-484
)	
Plaintiff,)	JUDGE BRIDGET MEEHAN BRENNAN
)	
v.)	
)	
COMMISSIONER OF SOCIAL)	<u>ORDER</u>
SECURITY ADMINISTRATION,)	
)	
Defendant.)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Jennifer Dowdell Armstrong recommending that the decision of the Commissioner of Social Security (“Commissioner”) denying the application of Plaintiff Erick Padilla (“Plaintiff”) for supplemental security income and disability insurance benefits/child disability benefits be affirmed. (Doc. 11.)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (flush language).


The R&R was issued on December 13, 2024. (Doc. 11.) Plaintiff is represented by counsel. (Doc. 1 at 2.) No objection to the R&R has been filed, and the deadline for doing so has passed. The failure to timely file written objections to a report and recommendation of a magistrate judge constitutes a waiver of *de novo* review by the district court. *United States v.*

Walters, 638 F.2d 947, 949–50 (6th Cir. 1981); *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985). The failure to file written objections also results in a waiver of the right to appeal. *Thomas*, 728 F.2d at 815.

The Court has reviewed the R&R and adopts the same. Accordingly, the final decision of the Commissioner of Social Security denying Plaintiff's application for supplemental security income and disability insurance benefits/child disability benefits is AFFIRMED. The case is dismissed.

IT IS SO ORDERED.

Date: January 3, 2025


BRIDGET MEEHAN BRENNAN
UNITED STATES DISTRICT JUDGE